

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MARC LIBAULT,

Plaintiff,

vs.

MARTHA MAMO; RAVNEET KAUR;
ASHA MAN; and THE INSTITUTE OF
AGRICULTURE AND NATURAL
RESSOURCES AT THE UNIVERSITY OF
NEBRASKA-LINCOLN;

Defendants.

4:22CV3096

ORDER TO SHOW CAUSE

[Federal Rule of Civil Procedure 4\(m\)](#) provides, “If a defendant is not served within 90 days after the complaint is filed, the court -- on motion or on its own after notice to the plaintiff -- must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.” [Fed. R. Civ. P. 4\(m\)](#).

Plaintiff filed the Complaint on May 23, 2022. ([Filing No. 1](#)). More than 90 days has elapsed since the Complaint was filed. To date, Plaintiff has not requested summons nor filed any return of service indicating service on the defendants, a waiver of service has not been filed, no defendant has entered a voluntary appearance, and Plaintiff has not requested an extension of time to complete service. Although Plaintiff is proceeding pro se, he must nevertheless comply with local rules, court orders, and the Federal Rules of Civil Procedure. See [Ackra Direct Mktg. Corp. v. Fingerhut Corp.](#), 86 F.3d 852, 856 (8th Cir. 1996) (“In general, *pro se* representation does not excuse a party from complying with a court’s orders and with the Federal Rules of Civil Procedure.”); [Bennett v. Dr Pepper/Seven Up, Inc.](#), 295 F.3d 805, 808 (8th Cir. 2002) (a litigant’s “*pro se* status d[oes] not entitle him to disregard the Federal Rules of Civil Procedure[.]” Accordingly,

IT IS ORDERED that Plaintiff shall have until **September 12, 2022**, to show cause why this case should not be dismissed pursuant to [Federal Rule of Civil Procedure 4\(m\)](#) or for want of prosecution. The failure to timely comply with this order may result in dismissal of this without further notice.

Dated this 24th day of August, 2022.

BY THE COURT:

s/Michael D. Nelson
United States Magistrate Judge